

**United States Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment**

**DOI-BLM-CO-S050-2014-0016 DNA**

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**June 2014**

**DeVinny Canyon Private Land Reroutes**

*Location: Montrose County, Dry Creek Travel Plan Area*

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**Determination of NEPA Adequacy (DNA)**

NUMBER: DOI-BLM-CO-S050-2014-0016 DNA

PROPOSED ACTION TITLE: DeVinny Canyon Private Land Reroutes

LOCATION/LEGAL DESCRIPTION: T. 48 N., R. 10 W., Sec. 27 and 28

APPLICANT: BLM Uncompahgre Field Office

BACKGROUND: The BLM completed the Dry Creek Travel Management Plan (TMP) (EA# CO-150-2008-33) in 2009. The proposed project would implement priority Dry Creek Travel Management Plan (TMP) objectives and management decisions for reducing private land trespass, meeting Land Health Standards, minimizing areas that meet standards with problems, improving resource protection, and maintaining quality travel opportunities along with adequate and appropriate public access.

**A. Description of the Proposed Action and any applicable mitigation measures**

The BLM proposes to re-route three sections of motorized routes off of private land near DeVinny Canyon (map, last page). There are three reroute sections located on each side of DeVinny Canyon within the Dry Creek Travel Management Planning Area. The new construction would total approximately one mile

**B. Land Use Plan (LUP) Conformance**

LUP Name: Resource Management Plan Amendment/Environmental Assessment for the Uncompahgre Field Office Dry Creek Travel Management Plan, CO-150-2008-33.

Date Approved: December 1, 2009

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Decision Language:

(Page 20): "Alternatives 2 (Proposed Action), 3, and 4 consist of:

2. Selected routes and uses, proposed new routes and routes to be closed to certain or all uses ("travel network system"),..."

(Page 29) "Approximately 16 miles of proposed route construction would occur."

(Appendix 4) Alternative 2 Map identifies private land re-reroutes.

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Resource Management Plan Amendment/Environmental Assessment (CO-150-2008-33 EA) for the Uncompahgre Field Office Dry Creek Travel Management Plan, approved December 1, 2009

**D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes. The proposed action is a feature of the actions analyzed in the Resource Management Plan Amendment/Environmental Assessment for the Uncompahgre Field Office Dry Creek Travel Management Plan EA# 150-2008-33. The proposed action projects are specifically called for in the EA. All proposed projects are within the same analysis area as the RMP Amendment and EA.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes. The range of alternatives analyzed in the Resource Management Plan Dry Creek Travel Management Plan EA is appropriate. The EA analyzed the No Action alternative and three action alternatives, each with differing route mileages, uses and designations, and includes the re-routes. The alternative selected is still appropriate because there are no additional environmental concerns, interests or resource values which would necessitate creation of further alternatives.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes. The existing analysis is valid for this proposed action. This project proposes to implement Dry Creek Travel Management Plan objectives and land use plan decisions. The land health assessment has not changed, special status species have not been added, and other conditions on the ground have not changed. We can reasonably conclude that new information and circumstances would not substantially change the analysis of the proposed action.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes. The direct, indirect and cumulative effects from implementing the new proposed action would be similar to those analyzed in the existing NEPA document. The effects are similar in both scope (amount of area affected) and nature (type of projects) to those already analyzed

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. Interagency review, scoping and multiple public comment periods were conducted during the Dry Creek Travel Management Plan EA. None of the comments or findings are in conflict with this proposed action.

**E. BLM Staff Consulted**

Glade Hadden	Cultural Resources, Paleontology, Native American Religious Concerns
Missy Siders/Ken Holsinger	Threatened, Endangered, and Sensitive Species, Wildlife, Migratory Birds
Julie Jackson	Access and Transportation, Recreation, and Visual Resources
Bruce Krickbaum	NEPA Compliance

**REMARKS:**

Threatened and Endangered Species: No Threatened or Endangers species are known or expected within the proposed trail area. There would be no effect to any federally listed or proposed species.

Recommended Measure for BLM Sensitive Species:

To the extent possible, observed reptiles will be avoided by trail building activities and will not be intentionally harmed. Any incidental observations of reptiles or sign during trail building activities will be documented in the project case file and reported to the BLM Biologist.

To minimize impacts on migratory bird populations, it is recommended that no surface disturbing activities occur from May 15 through July 15. This timeframe encompasses the core



breeding season for the majority of migratory birds in the project area. Project activities shall retain and avoid modifying identified cavity trees, snags, and perches in the project area.

Cultural Resources: There are no known cultural resource issues for this proposed re-route. No inventory has been completed for this segment of trail. A complete class three inventory will be completed before construction begins. If any eligible cultural resources are discovered during the inventory, the appropriate mitigation will be completed prior to any ground disturbing activities.

Native American Religious Concerns: There are none known for this project.

### Conclusion

This proposed action is a feature of the selected alternative analyzed in EA# CO-150-2008-33. The existing Finding of No Significant Impact (FONSI) for EA# CO-150-2008-33 made a finding that the selected alternative would not have significant effects. The conclusion in that FONSI dated April 9, 2009, remains valid.

The implementation decision for EA# CO-150-2008-33 identified this proposed action as a feature of the selected alternative. The Decision Record dated December 9, 2009, authorizes the routes; another Decision Record and appeal period is not needed.

Based on the review documented above, I conclude that this proposal conforms to the applicable LUP and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of the NEPA.

Project Lead: Julie Jackson

Signature of NEPA Coordinator *[Signature]* Date June 5, 2014

Signature of the Responsible Official *Barbara Sharrow*  
Barbara Sharrow  
Field Manager, Uncompahgre Field Office

Date 6-11-2014

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.



